

10010.1070C/P2134C

#7
TID.
03/29/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:	COPY OF PAPERS ORIGINALLY FILED)	
GARST et al.)	
Serial No.: 09/704,254)	Examiner: Unassigned
Filed: Nov. 1, 2000)	
Title: METHOD AND APPARATUS FOR ENFORCING SOFTWARE LICENSES)	Art Unit: 2759

REQUEST FOR STATUS OF FILING RECEIPT

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Upon review of our file, it was noted that the Filing Receipt has not been received in this application and, therefore, Applicant requests the status of the Filing Receipt.

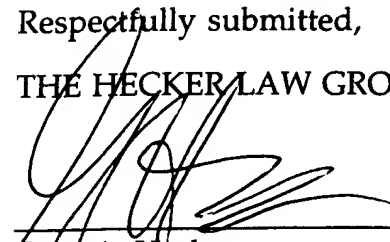
Applicant filed the application on November 1, 2000, by Express Mail (Label No. EL705169696US). A copy of the Utility Patent Application Transmittal and Express Mail label are enclosed. The return postcard date-stamped by the USPTO was received by Applicant on November 20, 2000, a copy of which is also enclosed herein.

Applicant requests that a Filing Receipt be issued and mailed to the undersigned Applicant's attorney at no cost to Applicant.

If there are any questions regarding this matter, please do not hesitate to contact the undersigned.

Respectfully submitted,
THE HECKER LAW GROUP

Date: July 19, 2001



Gary A. Hecker
Reg. No. 31,023

THE HECKER LAW GROUP
1925 Century Park East
Suite 2300
Los Angeles, California 90067
(310) 286-0377

CERTIFICATE OF MAILING

This is to certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: U.S. Patent and Trademark Office, Washington, D.C. 20231 on July 19, 2001.

Signature

Date



Please type a plus sign (+) inside this box → Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 10010.1070C/P2134C

First Inventor GARST et al.

Title Method and Apparatus for...

Express Mail Label No. EL 705169696US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☐ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification (Total Pages 50)
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) (Total Sheets 12)
5. Oath or Declaration (Total Pages 2)
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 CFR 1.63 (c))
(for continuation/divisional with Box 17 completed)☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application: see 37 CFR 1.63(d)(2) and 1.33(b)
6. ☐ Application Data Sheet: See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies), or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s)) (p. 1)
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS); PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☒ Other: Supp. Util. App. Transmittal; Express Mail certificate of mailing

Copy from prior app.)

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment or in an Application Data Sheet under 37 CFR 1.76

☒ Continuation ☐ Divisional ☐ Continuation-in-part
Prior application information: Retta, Y.

37 CFR 1.76 03, 901, 776
Serial Number 2264

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

13 CORRESPONDENCE ADDRESS

☐ Use this number for Bar Code Label

(Insert Customer No. or Attach bar code label here)

Name Gary A. Hecker, Esq.
THE HECKER LAW GROUP
Address 1925 Century Park East, Suite 2300
City Los Angeles State CA Zip Code 90067
Country U.S.A. Telephone (310) 286-0377 Fax (310) 286-0488

Name (Print/Type) Gary A. Hecker, Esq. Registration No. (Attorney/Agent) 31,023
Signature Date 11-01-00

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Docket No. 10010.1070C

(5)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

BLAINE GARST, et al.

Serial No: 09/704,254

Filed: November 1, 2000

For: METHOD AND APPARATUS FOR
ENFORCING SOFTWARE
LICENSES

)
)
) Examiner: Unassigned
)
) Group Unit: 2161
)
)
)
)
)
)

PETITION TO FILE MISSING PARTS OF APPLICATION

OFFICE OF PETITIONS
Assistant Commissioner for Patents
Washington, D. C. 20231

Sir:

Applicant hereby petitions that the Commissioner waive any extension fees and accept the enclosed 37 CFR 1.53(b) application filing fee and missing parts surcharge required to complete the present application. This Petition is based upon the fact that a Notice to File Missing Parts of Application and Filing Receipt was never received by our office for this application, despite our written and telephone requests. This Petition is based on the following:

1. On July 3, 2001, we telephoned the U.S. Patent and Trademark Office's Office of Initial Patent Examination and spoke with Ms. Joyce Riley concerning the status of Filing Receipt and Notice to File Missing Parts of Application. We requested a facsimile copy of these documents, and Ms. Riley stated she would provide copies via facsimile. We inquired about payment of

extension fees, and Ms. Riley informed us that because we had not received Notice to File Missing Parts of Application, we would not have to pay extension fees.

2. On July 16, 2001, not having received the facsimile copies, we spoke with Ms. Stokes of Customer Service who informed our office that they would have to locate the file in order to provide us with copies of Filing Receipt and Notice to File Missing Parts of Application.

3. On July 19, 2001, after receiving no response to our inquiries, we filed a Request for Status of Filing Receipt (copy attached hereto) setting forth details of the filing of this application.

4. On November 14, 2001, not having received responses to our previous inquiries and requests, we filed a Status Inquiry to which we received on January 22, 2002, a correctly addressed response concerning only the expected date for an office action.

5. On January 25, 2002, we again telephoned Ms. Riley of the Office of Initial Patent Examination, and she advised us to file a Response to Notice to File Missing Parts without a copy of the Notice to File Missing Parts of Application, and pay the basic filing fee and surcharge. Ms. Riley again advised that Applicants are not required to pay extension fees due to not receiving a copy of the Notice to File Missing Parts of Application.

Applicant herein encloses a check in the total amount of \$870.00, consisting of basic filing fee (\$740), and surcharge fee as set forth in 37 CFR. §1.16(e) (\$130).

The Commissioner is hereby authorized to charge any additional fees, or credit any overpayment associated with this communication to The Hecker Law Group, Deposit Account No. 08-1520. A duplicate copy of this authorization is also enclosed.

Respectfully submitted,

THE HECKER LAW GROUP

Date: January 28, 2002



Obi Iloputaife
Reg. No. 45,677

1925 Century Park East
Suite 2300
Los Angeles, California 90067
(310) 286-0377

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with sufficient First Class Mail postage with the United States Postal Service, addressed to BOX MISSING PARTS, Assistant Commissioner for Patents, Washington, D.C. 20231 on January 28, 2002.

 January 28, 2002
Signature: Linda Carroll Date



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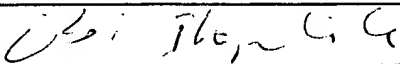
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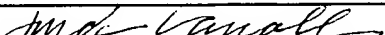
PTO/SB/21 (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/704,254	
	Filing Date	November 1, 2000	
	First Named Inventor	BLAINE GARST	
	Group Art Unit	2161	
	Examiner Name	UNASSIGNED	
Total Number of Pages in This Submission	15	Attorney Docket Number	10010.1070C

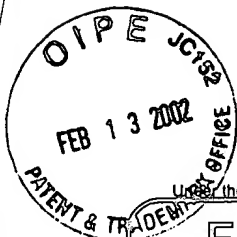
ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): \$870 check; Change of Attorney Firm Name; Certificates of First Class Mail; and Return Postcard.
Remarks		Please use our customer number as mailing address:  022804

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	The Hecker Law Group By: Obi Iloputaife, Reg. No. 45,677
Signature	
Date	January 28, 2002

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: <u>01/28/02</u>	
Typed or printed name	Linda Carroll
Signature	
Date	January 28, 2002

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 870.00)

Complete if Known

Application Number	09/704,254
Filing Date	NOVEMBER 1, 2000
First Named Inventor	BLAINE GARST
Examiner Name	Unassigned
Group Art Unit	2161
Attorney Docket No.	10010.1070C

METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 08-1520
Deposit Account Name: The Hecker Law Group

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	740.00
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$ 740.00)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
1	-20** = 0	X 18.00 = 0	
1	-3** = 0	X 80.00 = 0	
Multiple Dependent			

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 740.00)

*for number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	130.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

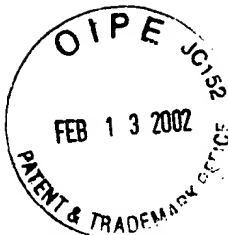
SUBTOTAL (3) (\$ 130.00)

SUBMITTED BY

Name (Print/Type)	Obi Iloputaife	Registration No. (Attorney/Agent)	45,677	Telephone	(310)286-0377
Signature		Date	January 28, 2002		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/704,254	
	Filing Date	11/01/00	
	First Named Inventor	GARST et al.	
	Group Art Unit	2759	
	Examiner Name		
Total Number of Pages in This Submission	6	Attorney Docket Number	10010.1070C/P2134C

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Request for Status of Filing Receipt; Copy of Express Mail Label No. EL705169696US; Copy of return postcard date-stamped 11/01/00 by the USPTO; Return postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Gary A. Hecker, Esq. THE HECKER LAW GROUP
Signature	
Date	July 19, 2001

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Typed or printed name	Nancy V. McElrath
Signature	
Date	<u>July 19, 2001</u>

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